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C O N F I D E N T I A L SECTION 01 OF 03 PARIS 001979

SIPDIS

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TAGS: [PREL](#) [PHUM](#) [KAWC](#) [FR](#) [UN](#)
SUBJECT: DRL DAS BARKS-RUGGLES DISCUSSES UNGA RESOLUTIONS
WITH FRENCH

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Classified By: Pol/MC Kathleen H. Allegrone for reasons 1.4 (B & D).

¶1. (C) SUMMARY: DRL DAS Barks-Ruggles met with French MFA Human Rights Director Jacques Pellet (Please Protect Throughout) in Paris on October 23 to discuss United Nations General Assembly Third Committee resolutions and other UN issues. The French agree on the need for a strong Iran resolution, and they handed over draft resolutions on North Korea and the Death Penalty which the EU is sponsoring. They also gave her drafts of the EU's Declaration on Sexual Orientation, which they hope to circulate and present in December. They also discussed the religious defamation resolution, EU Human Rights dialogues with China and Central Asia, and the proposed High-Level Interfaith dialogue effort by the Kingdom of Saudi Arabia (KSA). END SUMMARY.

¶2. (C) UNGA 3C RESOLUTIONS:

-- IRAN: Pellet said the French are working on their instructions to their mission in NYC on the Canadian draft text. They too do not like the idea of watering down the resolution, and share our concern that this will be the last time we get an Iran resolution if it is not more robust. They also think the Secretary General (SYG) report is "quite weak" and do not think the resolution should hang solely on that. Pellet raised the point that Iranian civil society count very much on this resolution -- they heard from Shirin Ebadi during her recent visit that the resolution gives hope to civil society working inside of Iran and gives them some limited protection from the government. (Note: As of October 27, the Canadian draft has changed significantly following interventions from core group co-sponsors and the USG now believes the draft is strong. End note)

-- BURMA: Barks-Ruggles laid down the marker about not weakening the compromise PP5 language on this EU sponsored resolution any further noting that it was barely acceptable in its current format.

-- DPRK: Pellet said the text was done, but the Japanese have been negotiating with the South Koreans on this and have not yet come back with a final agreement. The Japanese want to ensure that the South Koreans will support and vote for the text.

-- RELIGIOUS INTOLERANCE: Barks-Ruggles explained that we could not co-sponsor this resolution with the current, new language incorporating restrictions on freedom of expression contained in Article 20 of the ICCPR (to which the U.S. has

taken a reservation). Pellet took the point about the ICCPR Article 20 language being new to this resolution -- he did not know that was the case -- and our strong Constitutional problems with the language. He also took the point that we should not be putting in language which will prevent the U.S. from co-sponsoring as that would make it harder to hold the line with the OIC on worse language as we would not be able to help. He promised to get back to us on this.

-- DEFAMATION OF RELIGIONS: Pellet noted that Morocco was the big problem on this issue at the session in GVA in September and that Egypt was also not helpful. He said that the Moroccan stood up and said "the freedom of expression is not needed (le droit de l'expression c'est mal necessaire)." France has raised this with the Moroccan embassy in Paris and at higher levels during UNGA high level session, and the GOM indicated there may be a disconnect between their mission in Geneva and Rabat on this.

-- DEATH PENALTY: Pellet noted the Secretary General's report is out. The text is "almost done," but Pellet would not give any hint on what it contained, but promised to share it "soon." (Note: He did so on the October 24 and France circulated a text in New York on the 27th.)

-- PROGRAM 19: France has not focused on this, but they now will. Pellet took careful notes and immediately understood how dangerous this budgeting exercise could be in efforts be some countries to restrict the independence of the Office of the High Commissioner on Human Rights.

-- OPTION PROTOCOL FOR ICESCR: Pellet noted that he appreciated USG efforts to work out our concerns with Portugal as the sponsor. The EU is still divided on the

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issue. Pellet said he would emphasize to Portuguese the need to "positively consider" our language changes on "noting" vice "welcoming," but did not express an opinion as to whether France could support this.

-- ALLOCATION OF HRC REPORT: Pellet took on board the USG's strong principled stand that the report of the Human Rights Council should be -- as it has in the past -- submitted in its entirety to the UNGA Third Committee as the competent universal membership body with oversight responsibility, and that it should not go directly to plenary. He did not know the GOF position, and promised to get back to the USG on this issue.

-- SEXUAL ORIENTATION DECLARATION: Pellet noted that France has assembled its Core Group on this effort: Brazil, Argentina, France, Netherlands, Gabon, Ukraine, Croatia, and Japan. A text had been agreed among core group. They will look to table the declaration for signatures after Thanksgiving, but Pellet would not promise they would wait that long. Barks-Ruggles pressed very hard and had Pellet write down when resolution votes would be and the date for Thanksgiving, noting that we need to ensure the Iran and other country specific resolutions have been voted before the text is tabled. France would like to complete all signatures and formally present the Declaration "as late as possible" in December.

13. (C) OTHER ISSUES:

-- UN GENERAL ASSEMBLY PRESIDENCY DECLARATION FOR HUMAN RIGHTS DAY: France agrees that any "adoption" of a "declaration" is "just not done". Pellet had not heard about a possible move by the UNGA Presidency to do so, but promised to ask the Argentineans and emphasize to them that the GOF would not support a "declaration" but a statement of some sort from the UNGA Presidency would be fine.

-- SAUDI INTERFAITH DIALOGUE: Pellet raised this as his first

point. France was unaware of the new text of the Madrid Declaration that we understand has been worked out between the Kingdom of Saudi Arabia (KSA) and the Vatican, but, after reading text, he has serious problems with it still. Pellet asked us to email this text to him. The GOF's specific problems are on the two paragraphs on theological issues (declaring that there is one God and that all creation comes from him). They also are concerned about lack of gender equality, lack of full religious equality in the text (especially for polytheists), and about limitations in the text on Freedom of Expression (FOE). They want to work with us on this. The EU does not yet have a position on the proposed High-Level Dialogue in New York previewed for November 12-13, but Pellet said he is arguing internally with this NEA equivalent colleagues. He said he is presenting two choices: 1) attend at a high level, but only if instructed to intervene and "tell truth to power" on the issues of concern, and fight for a better text, or; 2) attend only as note-takers and do not associate with this effort at all but say it is for religious persons to decide how best to hold an inter-faith dialogue, not the UN. He noted that Sylvie Bermann (MFA IO Director) is personally involved in this issue.

-- FREEDOM OF EXPRESSION: Barks-Ruggles told Pellet of our decision not to run a resolution. Pellet was relieved. Barks-Ruggles noted our interest in doing a side event on internet freedom.

-- U.S. STATEMENT: Pellet asked if we would raise Belarus in the U.S. statement next week -- France will put it in their statement and would like us to say something about continuing concerns on human rights.

-- CHINA HUMAN RIGHTS DIALOGUE: France will chair (Pellet leading) the EU-China HR dialogue in Beijing November 24-31. Pellet noted there will be a "coordination meeting formally known as Bern" in Brussels on November 20th. Their dialogue will consist of two days of academic "experts" meeting -- with some NGOs from the EU side, followed by a two-day site visit (Beijing promised Tibet back in May, but are now trying to back out of that). The formal government portion of the HR Dialogue will follow on November 28th.

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-- CENTRAL AISA HUMAN RIGHTS DIALOGUES: Pellet returned a few days prior to the meeting from the first formal EU HR Dialogue with Kazakhstan. He said the first and hardest pressed point by the EU was the need for the GOK to meet its freely taken commitments in Madrid for the OSCE CIO. They especially pressed on the media freedom law and the need for the GOK to incorporate OSCE changes into the law. The GOK was unresponsive and went through the motions only. Pellet's staff stayed following the Dialogue for the first day of the "Common World Initiative" meeting in Astana. Pellet said reports from the field were that the Astana Declaration was awful, and had been "adopted" without taking into account problems and disagreements raised by participants. He noted that when it became clear that the EU and others had serious objections still with the text (especially on FOE and handling of women's rights), the chair called for a break and then declared the Declaration adopted while everyone was on break. The EU has formally protested and is considering dissociating from the text.

14. (U) DRL DAS Barks-Ruggles has cleared this message.

STAPLETON